REMARKS

DISCUSSION OF SPECIFICATION

The specification has been amended to correct inadvertent typographical errors. In particular, the following amendments have been made to the specification: page 4, line 7, "diagrams illustrating" has been replaced with –diagrams illustrating.–; and page 9, line 10, "apparent to" has been replaced with –apparent to–. Acceptance of the amended specification is respectfully requested.

DISCUSSION OF CLAIMS

In the Office Action, claims 1-3 and 8-11 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,928,688 to Mower.

In the Office Action, claims 4-7 and 12-15 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,928,688 to Mower in view of U.S. Patent No. 4,991,583 to Silvian.

In response thereto, claims 1, 2, 4, 7, 8, and 12 have been amended and new claims 16-25 have been added. Accordingly, claims 1-25 are now pending. Following is a discussion of the patentability of each of the pending claims.

Independent Claim 1

Claim 1 recites an implantable cardiac stimulation device comprising a first terminal for connection to a left ventricular pacing electrode, a second terminal for connection to a right ventricular pacing electrode, a pulse generator, and a switch means for connecting any combination of said first and second terminals to said pulse generator to deliver electrical therapy to said left ventricular pacing electrode, said right ventricular pacing electrode, or both said left and right ventricular pacing electrodes.

The Mower reference discloses a bi-ventricular pacing system. According to the embodiment illustrated in Figure 2, the bi-ventricular pacing system comprises a left

ventricular pulse generator (50) switchably coupled to a left ventricular lead (15) to pace the left ventricle and a right ventricular pulse generator (44) switchably coupled to a right ventricular lead (13) to pace the right ventricle.

The Mower reference does not disclose or suggest a switch means for connecting any combination of said first and second terminals to said pulse generator to deliver electrical therapy to said left ventricular pacing electrode, said right ventricular pacing electrode, or both said left and right ventricular pacing electrodes. The Mower references discloses a switching system 1) connecting a first terminal to a first pulse generator (50) to deliver electrical therapy to a left ventricular pacing electrode, 2) connecting a second terminal to a second pulse generator (44) to deliver electrical therapy to a right ventricular pacing electrode, or 3) connecting the first terminal to the first pulse generator (50) and the second terminal to the second pulse generator (44) to deliver electrical therapy to the right and left ventricular pacing electrodes. In other words, the cardiac stimulation device recited in claim 1 of the present application recites a single pulse generator which delivers electrical therapy to the right and left ventricular pacing electrodes whereas the Mower references discloses a pacing system having two pulse generators, a first pulse generator dedicated to the left ventricular pacing electrode and a second pulse generator dedicated to the right ventricular pacing electrode.

The Silvian reference discloses a pacing system for independently configuring one or both channels of a pacer to either a unipolar or bipolar pacing mode of operation and either a bipolar tip-to-ring sensing mode of operation. The pacing system is directed to a dual chamber configuration for pacing the right atrium and right ventricle. Nowhere does the Silvian reference disclose or suggest a bi-ventricular pacing system having a left ventricular pacing electrode or a switching means for connecting a terminal to a pulse generator to deliver electrical therapy to the left ventricle.

Accordingly, it is respectfully submitted that claim 1 is in condition for allowance.

Dependent Claims 2-7 and 16-18

Claims 2-7 and 16-18 depend from claim 1 and are similarly patentable. Accordingly, it is respectfully submitted that these claims are in condition for allowance.

Independent Claim 8

For at least the same reasons discussed above with regards to claim 1, it is respectfully submitted that claim 8 is in condition for allowance.

Dependent Claims 9-15, 19, and 20

Claims 9-15, 19, and 20 depend from claim 8 and are similarly patentable. Accordingly, it is respectfully submitted that these claims are in condition for allowance.

Independent Claim 21

For at least the same reasons discussed above with regards to claim 1, it is respectfully submitted that claim 21 is in condition for allowance.

Dependent Claims 22-25

Claims 22-25 depend from claim 21 and are similarly patentable. Accordingly, it is respectfully submitted that these claims are in condition for allowance.

CONCLUSION

In light of the above cla m amendments and remarks, it is respectfully submitted that the application is in condition for allowance, and an early notice of allowance is requested.

Respectfully submitted,

12/13/04
Date

Steven M. Mitchell, Reg. No. 31,857
Patent Attorney for Applicant